

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHARLES D. VILLACRES,	)	1:05-cv-00356-LJO-TAG HC
	)	ORDER ADOPTING FINDINGS AND
Petitioner,	)	RECOMMENDATIONS (Doc. 27)
	)	ORDER GRANTING MOTION TO DISMISS
v.	)	PETITION FOR WRIT OF HABEAS CORPUS
	)	(Doc. 23)
K. MENDOZA POWERS,	)	ORDER DISMISSING PETITION FOR WRIT
	)	OF HABEAS CORPUS (Doc. 1)
Respondent.	)	ORDER DIRECTING CLERK OF COURT
	)	TO ENTER JUDGMENT

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Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On January 17, 2008, Respondent filed a motion to dismiss the petition on the grounds that it was unexhausted. (Doc. 23). On July 22, 2008, the Magistrate Judge assigned to the case filed a Findings and Recommendations recommending that the motion to dismiss be granted and that the petition for writ of habeas corpus be dismissed as unexhausted. ([Doc. 27](#)). This Findings and Recommendations was served on all parties and contained notice that any objections were to be filed within twenty days from the date of service of that order. On August 6, 2008, Petitioner filed objections to the Magistrate Judge's Findings and Recommendations.

1 (Doc. 28).

2 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted  
3 a *de novo* review of the case. Having carefully reviewed the entire file, including Petitioner's  
4 objections, the Court concludes that the Magistrate Judge's Findings and Recommendations is  
5 supported by the record and proper analysis. Petitioner's objections present no grounds for  
6 questioning the Magistrate Judge's analysis.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The Report and Recommendations, filed July 22, 2008 (Doc. 27), is ADOPTED  
9 IN FULL;
- 10 2. Respondent's Motion to Dismiss (Doc. 23), is GRANTED;
- 11 3. This petition for writ of habeas corpus (Doc. 1), is DISMISSED; and
- 12 4. The Clerk of Court is DIRECTED to ENTER JUDGMENT and close the file.

13 This order terminates the action in its entirety.

14 IT IS SO ORDERED.

15 Dated: August 12, 2008

16 /s/ Lawrence J. O'Neill  
17 UNITED STATES DISTRICT JUDGE

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